

Docket No.: 1009-0119PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Andrew John EASTON et al.

Application No.: 10/599,904

Confirmation No.: 6366

Filed: October 12, 2006

Art Unit: N/A

For: VIRAL ASSAY

Examiner: Not Yet Assigned

SUBMISSION OF DECLARATION AND POWER OF ATTORNEY

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application dated December 15, 2006,
Applicant respectfully submits:

- ☐ Attached is a copy of the Notice to File Missing Parts of Non-provisional Application.
- ☒ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration of the inventor(s) (☐ original ☒ photocopy), necessary for completing the filing requirements in connection with the above-identified application.
- ☐ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration that was attached to the specification at the time of execution. The attached specification is a true copy of the specification that was filed in the U.S. Patent and Trademark office on United States of America, including any amendments thereto (if applicable) filed on even date therewith.

- ☒ The undersigned hereby declares that "Attorney Docket No. 1009-0119PUS1" on page 1 of the attached inventors' Declaration, corresponds to Appl. No. 10/599,904, filed October 12, 2006, entitled "VIRAL ASSAY."
- ☐ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.
- ☐ See the attached Translator's Verification; or
- ☐ The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.
- ☐ Attached are **0** sheet (s) of drawings. Please substitute these replacement drawings for the corresponding **4** sheet(s) of drawings on file in the above-identified application.
- ☐ Attached is a Preliminary Amendment.
- ☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).
- ☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).
- ☐ Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☐ Attached is a Claim for Priority document.
- ☐ Attached is a Supplemental Application Data Sheet (ADS).
- ☐ Submitted concurrently herewith **under separate cover** for recording is an Assignment.

Application No.: 10/599,904

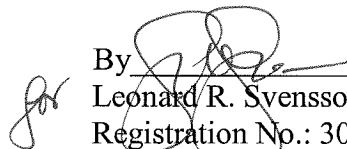
Docket No.: 1009-0119PUS1

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: December 20, 2006

Respectfully submitted,

By  #471604
Leonard R. Svensson
Registration No.: 30,330
BIRCH, STEWART, KOLASCH & BIRCH, LLP
12770 High Bluff Drive
Suite 260
San Diego, California 92130
(858) 792-8855
Attorney for Applicant

Attachment(s)